

The Stafford County Utilities Commission reconvened for a public hearing on May 10, 2007, in Board Chambers in the Stafford County Administration Center. Commission members present were Joyce Arndt, Richard Carroll, Juan Chaves, Lloyd Chittum, Bob Hunt and Patricia Kurpiel. Dale Allen, Nancy Collins, Fred Krebs and Cheryl Giles were present for the Utilities Department.

Public Hearing – Mandatory Connections to Utilities – Chairman, Juan Chaves opened the public hearing and asked for staff's presentation on the mandatory connections to water and sewer. Mr. Chaves then turned control of the meeting to Vice Chairman, Bob Hunt.

Dale Allen presented a background report about the mandatory connections to utilities. Dale provided information about Section 25-71(b) before December 13, 2005. Dale then explained the following problems with Section 25-71(b) after December 13, 2005:

- Subdividers or industrial sites inside the USA must use public water system
- Projects inside USA must use public sewer system
- No grandfather or waiver provision
- The rule applies to subdivisions with unapproved preliminary plans and to all unapproved site plans.

Because of several consequences of changes to Section 25-71(b), the Board of Supervisors referred the issue to the Utilities Commission. As a result the two versions were drafted to address the changes to Section 25-71(b). Dale then highlighted the eight projects impacted by the changed Section 25-71(b). Dale provided the following staff recommendations:

- Consider further exemptions for family subdivisions
- Send to Board for public hearing

Following the presentation, Chairman, Juan Chaves opened the public hearing for statements from the public.

Public Presentations – Charlie Payne, represented Chris Stacy of Stacy Construction, stated that a correction for the Williams subdivision should be 13 lots instead of 7 lots. Mr. Payne addressed the unintended impact the December 13, 2005 change of the Section 25-71(b) had for his client, Mr. Stacy.

Ray Freeland of C. T. Park requested that documentation be drawn up stating there are no plans for water or sewer in the next three years for impacted projects. Mr. Freeland also inquired if the October 30, 2005 date covers all the impacted projects.

Robert Berner of Garrett Development commented he supports the ordinance as it is written and hopes the Commission recommends it to the Board of Supervisors for approval.

Don ? of 17 England Run Lane expressed concern about the impact the ordinance would have for family subdivisions and requested the Commission exclude family subdivisions in the ordinance.

John Dixon of 235 Cory Road also requested an exemption for family subdivisions.

Their being no more speakers, the Chairman closed the public hearing and turned control of the meeting to Vice Chairman, Bob Hunt.

Patricia Kurpiel commented the Commission should first decide if the existing ordinance be amended and then decide if the Commission should grandfather in the impacted projects that have been identified.

After some discussion, Lloyd Chittum made a motion to recommend approval of proposed ordinance O07-44 to the Board of Supervisors and to advertise for a public hearing by the Board of Supervisors. The motion was seconded by Joyce Arndt. The motion passed with a 3-2 vote. Patricia Kurpiel and Joyce Arndt opposed the motion. Patricia Kurpiel opposed the vote because she wanted more definitive waiver criteria written into the ordinance. Joyce Arndt opposed the vote because she was dissatisfied with the waiver process. Juan Chaves abstained from the vote due to conflict of interest.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Patricia Kurpield
Recording Secretary